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IN THE HIGH COURT OF KARNATAKA AT BANGALORE

Dated this the 16th Day of June 1998

BEFORE

THE HON'BLE MR. JUSTICE CHANDRASHEKARAIAH

WRIT PETITION NO.25398/1997

Between:

Smt.Gowramma,
W/o.Narayanappa,
Aged about 45 years,
R/at. No.8/3, 14th Main,
Subramanyanagar,
Bangalore - 560 021.

211
...PETITIONER

(By Sri.H.T.Nataraj, Adv.)

And:

1. Bangalore Mahanagara
Palike,
Corporation Building,
Hudson Circle,
Bangalore, Rep. by
its Commissioner.
2. The Assistant Executive
Engineer,
Bangalore Mahanagara
Palike,
Mahalakshmipuram,
(Subramanyanagar Divn.)
Bangalore - 560 010.
3. Sri.Byrappa,
S/o.Father's name not
known to the petitioner,
Aged about 60 years,
R/at No.194, 14th Main,
Subramanyanagar,
Bangalore - 560 021.

...RESPONDENTS

(By Sri.B.V.Muralidhar, Adv. for R-1 & 2)

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This Writ Petition is filed under Articles 226 and 227 of the Constitution of India with a prayer to direct R1 and 2 to held on enquiry with regard to unauthorised construction and hear the petitioner while granting sanctioned plan and if any in accordance with Act.

This Writ Petition coming on for orders this day, the Court made the following:-

O_R_D_E_R

This petition may be disposed of without notice to the 3rd respondent. Hence notice to R-3 is dispensed with.

2. The petitioner has filed this Writ Petition for a direction to the Corporation to take action against the 3rd respondent on the ground that he has illegally constructed the building contrary to the building bye-laws and sanctioned plan.

3. Sri.Muralidhar, learned Counsel for the Corporation submitted that the Corporation has already initiated the proceedings against R-3 by

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213
passing a provisional order under Section 321(3)
of the Act and he further submitted that ~~the~~ after
hearing objection if any filed by the 3rd respondent,
appropriate orders will be passed in accordance with
law. In view of this submission, no order is required
to passed.

Accordingly, this writ Petition is disposed of.



Sd/-
JUDGE

sps/-